

cooperating in the investigation of a complaint. Such retaliation is unlawful and will be cause for disciplinary action.

I want to reaffirm that this office shall continue to adhere to the letter and the spirit of all anti-discrimination laws, including these guidelines regarding discrimination in the form of sexual harassment.

3.4 Americans with Disabilities Act Policy Statement

District Attorney Robert M. Morgenthau has issued the following statement on the New York County District Attorney's Office's program and policies to ensure compliance with the Americans with Disabilities Act:

The District Attorney's Office of New York County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act (ADA). Those regulations state, in part, that:

"[N]o qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity." (28 CFR Sec. 35.130(a)).

3.5 Americans with Disabilities Act Grievance Procedures

Complaints should be addressed to: Frederick J. Watts, Executive Assistant District Attorney for Finance and Administration, One Hogan Place, New York, NY 10013, who has been designated the ADA Coordinator for the office's compliance efforts.

- A complaint must be filed in writing. The office shall provide assistance in filing the complaint for any person who needs a reasonable accommodation to enable him or her to file the complaint. A complaint shall include the name and address of the person filing it and briefly describe the alleged violation.
- A complaint must be filed within 30 days after the complainant becomes aware of the alleged violation. Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.
- In appropriate cases, the ADA Coordinator shall attempt to resolve the complaint on an informal basis, with the goal of reaching a solution that is satisfactory to both the complainant and the agency. Where necessary, an investigation shall be conducted by or under the supervision of the ADA Coordinator.

If the complaint has not been resolved informally, the ADA Coordinator shall submit a confidential written report to the District Attorney with proposed findings as to whether the agency policy or action which is the subject of the complaint is consistent with the ADA. If the ADA Coordinator believes that the agency's policy or action is not consistent with the ADA, the report shall also recommend corrective action.

- The District Attorney shall review the ADA Coordinator's report and take any corrective action that he determines to be necessary and appropriate.
- The ADA Coordinator shall advise the complaining party of any action taken with respect to the complaint.
- The ADA Coordinator shall maintain the files and records of the day relating to the complaints filed.
- The complainant's right to a prompt and equitable resolution of the complaint filed in accordance with this grievance procedure shall not be impaired by that person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies available under the ADA.

3.6 Reasonable Accommodation Policy and Procedure

The District Attorney's Office of New York County (DANY) will make reasonable accommodations to qualified applicants and employees with disabilities to enable them to perform the essential functions of their jobs and to enjoy the equal benefits and privileges of employment, unless providing such accommodation would impose an undue hardship on the office.

The reasonable accommodation policy and procedure is outlined below. The procedure should be collaborative, open, and flexible. Some requests for reasonable accommodation may be granted and implemented immediately following their receipt without formal evaluation. At any point in the process, the supervisor or person requesting the reasonable accommodation may seek guidance or assistance from the EEO Officer. Supervisors should notify the EEO Officer of the final outcome of all reasonable accommodation requests.

➤ What Accommodations Are Reasonable?

Reasonable accommodations may include modifications or adjustments to the application process, work environment, or the manner or circumstances under which a position is customarily performed. The reasonableness of an accommodation will depend upon the circumstances of each case. Reasonable accommodation enables a qualified applicant or employee with a disability to be considered for a position or to perform its essential functions, or to enjoy benefits and privileges of employment that are equal to those enjoyed by similarly situated employees without disabilities. A qualified applicant or employee is an individual with a disability who satisfies the requisite skill, experience, education and other job-related requirements of a position and who, with reasonable accommodation (if needed), or without accommodation (if none is needed), can perform the essential functions of that position.

Accommodations are not reasonable if they impose an undue hardship on the employer.

A reasonable accommodation does not include a personal item that is needed both on and off the job unless such item is specifically designed to meet job-related rather than personal needs.

Step 1: Request for Reasonable Accommodation:

The employee or job candidate should make an oral or written request to his or her immediate supervisor or to his or her bureau or unit chief. If requested, an EEO Coordinator will assist the individual in making a request for accommodation. Where the need for a requested accommodation is not apparent, the supervisor may ask an applicant or employee to provide documentation in support of the request.¹

Applicants for employment may address requests for reasonable accommodation for the application, interview, and testing process to the Director of Human Resources.

At this stage the supervisor may provide or implement the request or may proceed to step 2.

Step 2: Review Purpose and Essential Functions of the Job:

In situations which require a more detailed analysis, the supervisor should examine the position to determine its purpose and its essential functions. Essential functions are the fundamental job duties of a position.

With respect to applicants for employment, DANY will make the application, interview and testing process accessible, unless doing so would create an undue hardship to the office.

Step 3: Consult with the Employee:

After evaluating the position to determine its essential functions, the supervisor should consult with the employee requesting the accommodation to assess the limitations that the disability imposes on the performance of each essential function. The supervisor and employee or prospective employee (where a conditional offer of employment has been extended) should consider how any job-related limitations can be overcome, discuss possible reasonable accommodations, and assess the effectiveness of each. The employer must consider an employee's preferences, along with what is reasonable under the circumstances of the work environment, in selecting accommodations. However, the employer has the discretion to choose among various appropriate reasonable accommodations that would enable the individual to perform the essential functions of the job. The agency is not required to provide an accommodation that imposes undue hardship. Participants in the reasonable accommodation process may seek guidance from Mayor's Office for People with Disabilities by calling (212) 788-2830 (voice) or (212) 788-2838 (TTY).

If reasonable accommodation is requested for the application process itself, the Director of Human Resources or his or her designee will consult with the applicant to determine how the process may reasonably be made accessible to the individual with a disability.

¹ Documentation and information concerning the medical condition or history of an employee requesting an accommodation shall be treated as confidential medical records, except to the extent that (1) supervisors and managers must be informed about work restrictions or reasonable accommodations; (2) first-aid and safety personnel need to be informed if the disability may require emergency treatment; and (3) government officials investigating compliance with law are required to be provided with relevant information upon request.

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- **Step 4: Select and Implement an Appropriate Reasonable Accommodation:**

In all instances supervisors shall act as expeditiously as possible to provide reasonable accommodations. Where a supervisor determines to deny a request for accommodation, or to provide an accommodation other than that for which the applicant or employee has expressed a preference, the supervisor shall first consult with EEO Officer. After such consultation, the supervisor shall inform the applicant or employee of the accommodation, if any, that will be provided, or that the request has been denied.

- **Discrimination Complaints**

This reasonable accommodation procedure is intended to ensure equal employment opportunities for employees with disabilities, but shall not impede the right of any employee to file an Equal Employment Opportunity internal complaint or a complaint with an appropriate federal oversight agency under the Americans with Disabilities Act or the Rehabilitation Act of 1973, the State Division of Human Rights, the New York City Commission on Human Rights, or any other federal, state or local agency having jurisdiction over such matters, or in any court of competent jurisdiction.

Section IV: Work Hours, Payroll Policies, and Procedures

4.1 Introduction

The purpose of this section is to describe the payroll policies and procedures for all support staff. You are required to follow these policies and procedures.

If you are a supervisor, you are required to ensure that all employees under your direction are informed of and follow these policies and procedures.

The policies in this section may not cover every situation. If you have specific questions about how a policy applies to your situation, you should seek guidance from Human Resources.

4.2 Scheduled Work Hours

You are assigned a scheduled work shift, indicating the days and hours you are required to be at work. The office does not have flexible schedules. You must adhere to a fixed arrival and departure time. Supervisors may not modify scheduled work hours to accommodate late or early arrival or departure time on a given day.

In general, the office does not offer compressed schedules, that is working a 35 or 40 hour week in less than five days. If a supervisor has a specific office need for his or her staff to work a compressed schedule, the supervisor must discuss it with Human Resources.

You are expected to devote yourself to official business during your scheduled work hours. Any absences during your official working hours must be approved by your supervisor.

4.3 Lunch Hour

Unless otherwise notified by Human Resources, you have one hour for lunch. You may not take your lunch hour during the first two hours of your scheduled work hours or the last hour of your scheduled work hours. Your lunch hour is set by your supervisor who is responsible for maintaining necessary coverage during that time period.

You may not shorten or eliminate your lunch hour to cover late arrival or early departure.

4.4 Variations in Daily Schedule

Your supervisor may vary your scheduled work hours to meet operational needs of the office. These variations may include, but are not limited to, staggering times of arrival and departure for late closing or early opening, as well as for night, weekend, and holiday operations.

All exceptions to your scheduled work hours are subject to the provisions governing overtime in Section 4.7.

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Any variation from your scheduled work hours must be approved by your supervisor in advance.

Your scheduled work hours may also be adjusted to meet your needs in the following situations:

- **Employees who are physically challenged:** To allow you to avoid peak rush hour traffic, you may be allowed to adjust your scheduled work hours subject to the approval of the Director of Human Resources. You may be required to submit medical documentation of physical disability to support your request.
- **Religious Observance:** In consultation with your supervisor and Human Resources, you may be able to adjust your work schedule or charge leave balances to accommodate time off for religious observance.

Your supervisor must note any changes to your scheduled work hours in the area on the time card designated for shift changes. Your supervisor must indicate the new hours next to the day in which the change occurred.

4.5 Recording Your Time

The office requires that you record your attendance in the New York City Automated Timekeeping system called "City Time." City Time is a secure, web-based software tool that our employees use to manage their time and attendance, and submit their timesheets (electronically) for approval. City Time is helping to standardize the varying timekeeping methods used by the City of New York and to provide automated and paperless timekeeping that accurately compensates employees.

Adherence to pre-scheduled hours is required. Supervisors may not modify scheduled work hours to accommodate late arrival or early departure time on a given day. The office does not have flex-time.

- **Deadline for submission of time records:** All support staff employees are responsible for electronically creating, completing and submitting their weekly timesheets no later than the close of the business day each Monday. Supervisors are responsible for reviewing and approving electronic timesheets no later than the close of the business the following day (Tuesday). Human Resources must have a timely, electronically submitted and approved time sheet or either cancellation of direct deposit, or withholding of the employee's paycheck may occur.

4.6 Lateness and Early Departure

If you are excessively late or depart before the regularly scheduled hour without permission from your supervisor, you will be subject to disciplinary action.

➤ **Grace Period:** If you are late, the grace period for employees shall be five minutes. If you arrive after the grace period, you shall be considered late from the time of your scheduled arrival.

➤ **Excusal:** Lateness is excused only when it results from a verified major failure of public transportation such as a widespread power failure of significant duration or other catastrophe of similar severity. The transit delay must be at least twenty minutes, and it must be documented by your transportation carrier. Documentation must be forwarded to Timekeeping to be entered in City Time.

To get documentation of the delay from the Metropolitan Transit Authority, call (718) 330-3322. When calling the number, be prepared to provide the following information: date of delay, train number, time boarded, departure station, transfer station, and arrival time. You should make a notation in City Time that lateness was due to a transit delay. You have 30 days to submit the verification received from the Metropolitan Transit Authority. Upon receipt of the transit delay verification, Timekeeping will reverse the time charged for lateness. You should have the transit delay verification documentation sent to your home address, not the office.

For non-MTA delays, please contact your transportation carrier directly.

Lateness Charges: Lateness charges shall be deducted from your compensatory time credits or annual leave balances. When such balances have been exhausted, that time period will be without pay and your future paycheck will be reduced.

Penalty for Excessive Lateness: Lateness is considered excessive in any month when you are late with a total lateness of more than an hour.

In the case of excessive lateness, the office reserves the right to double your total lateness before deducting it from your leave balances or reducing your future paychecks if you have no balance.

Chronic excessive lateness may lead to other disciplinary action up to and including termination.

➤ **Early Departure:** You are required to obtain advance approval from your supervisor if you leave prior to your regularly scheduled departure time. You must charge the time to the appropriate leave balances.

4.7 Overtime

Overtime is time you work in excess of your regularly scheduled work week. All overtime work must be authorized by your supervisor and appropriately entered in City Time.

Overtime is generally credited as compensatory time to be used by you at a later date. You must work at least one hour of overtime in the week, at increments of fifteen minutes, to receive overtime credit. Overtime may be on a paid basis in certain instances as described in this

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There are two types of overtime:

- "Voluntary overtime" occurs when your supervisor asks for a volunteer to work beyond regularly scheduled hours. You receive compensatory time for your additional hours of work. Voluntary overtime shall be compensated as compensatory time calculated in the manner described below. You will not receive credit for the overtime unless it was authorized in advance of the time worked by your supervisor.
- "Involuntary overtime" occurs when you are ordered to work beyond your regularly scheduled work hours. In that case you can opt to be compensated with either compensatory time or in cash calculated in the manner described below.

If you are paid in cash for overtime, you are not entitled to the meal allowance.

Involuntary overtime must be authorized by a manager or bureau chief.

- **Calculation of Compensatory Time Accrual and Paid Cash Overtime:** Eligible employees earn one hour of compensatory time or cash payment for each hour worked over 35 hours, but less than 40 hours a week. Hours worked beyond 40 hours in a week are credited as compensatory time or cash payment at one and a half hours for each hour worked.

There is a fifteen minute daily minimum for the accrual of compensatory time or cash payment. If you work fewer than fifteen minutes past your normal quitting time, you do not get compensatory time credit or cash payment for that day.

In addition, there is a requirement that a minimum of one hour overtime be worked in a week before time is credited for that week. This minimum can be met by working any combination of time as long as the 15-minute minimum is also met. Thus, for example, four 15-minute periods, two 30-minute periods, or one 60-minute period in a week would fulfill the one weekly minimum.

There is also no grace period associated with calculating overtime. If your quitting time is 5:00 PM, you must work until 5:15 PM to meet the 15-minute daily minimum.

- **Accrued Compensatory Time and the Fair Labor Standards Act (FLSA):** The federal Fair Labor Standards Act requires that your accrued leave balance of compensatory time earned at the rate of time and a half cannot exceed 240 hours. Therefore, whenever your FLSA compensatory time exceeds 240 hours, FLSA compensatory time will be automatically converted to paid overtime, until compensatory time usage reduces such accruals to under 240 hours.

Compensatory time earned at straight time for working between 35 and 40 hours a week is not affected by FLSA and will continue to accrue without limitation.

- **Meal Allowances:** When you work more than two continuous hours past your regular scheduled work hours and you earn compensatory time instead of cash payments, you are eligible for a meal allowance.

The meal allowance payments are captured in City Time, processed through the city Payroll Management System, and included in your paycheck.

Shift Differential

You receive a 10% shift differential straight time cash compensation when one hour or more of your regularly scheduled work hours falls between 6:00 PM and 8:00 AM if you were hired before July 1, 2004. If you were hired after July 1, 2004, you receive a 10% shift differential straight time cash compensation when one hour or more of your regularly scheduled work hours falls between 8:00 PM and 8:00 AM for the first three years of your employment with the office.

You are not entitled to shift differential compensation for working overtime.

Understanding Your Paycheck

Your regular biweekly pay check/stub is itemized such that it provides, at a glance, your annual, sick leave, and compensatory time balances. It does not include leave usage from the previous week.

It should also be noted, however, that leave accruals for the month are posted on or about the middle of the following month.

For further information about your paycheck, see www.nyc.gov/payroll.

Section V: Leave Policies and Procedures

5.1 Introduction

The purpose of this section is to describe the leave policies and procedures. You are required to follow these policies and procedures.

If you are a supervisor, you are required to ensure that all the employees under your direction are informed of, and follow these policies and procedures.

The policies in this section may not cover every situation. If you have a specific question about how a particular policy applies to your situation, you should seek guidance from Human Resources.

5.2 Holidays

The holidays with pay are as follows:

New Year's Day	Labor Day
Martin Luther King's Birthday	Columbus Day
Lincoln's Birthday	Election Day
Washington's Birthday	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

When a holiday falls on Saturday, it will be celebrated on the preceding Friday. When a holiday falls on Sunday, it will be celebrated on the succeeding Monday.

In order to be paid for a holiday, you have to be on the payroll on the work day before and the work day after the holiday.

- **Holiday Premiums:** If you are required to work on any of the holidays, you will be entitled to a holiday premium. The premium will be holiday compensatory time and in some cases, a cash payment. The amount of premium and the nature of the premium will vary depending on factors such as whether it is an actual or observed holiday; whether the holiday fell on your regular day off; and whether you work a 35-hour or 40-hour work week. For guidance on your particular situation, please consult Timekeeping.
- **Holiday Compensation for Scheduled Day Off for Full time Employees Who Work Other Than a Regularly Scheduled Standard Work Week of Five 7, 7 ½, or 8 Hour Days:** When any of the twelve actual or observed holidays occur on your scheduled day off and you do not work on that day, you will be credited with one day holiday compensatory time.

Other Holidays: You are expected to be present at work on other holidays not specified in this section. Any time taken on such holidays should be approved by your supervisor and will be charged to annual leave or any compensatory time credits you may have.

5.3 Annual Leave

Annual leave is used for taking time off from work with pay for almost all matters of your personal choosing. Such matters include, but are not limited to personal business, vacations, and religious observances.

5.4 Annual Leave Accrual Rates

You earn annual leave at a rate determined by the length of your city service and your payroll title. You are eligible to earn the monthly annual leave accrual if you are on the payroll for at least 15 calendar days during that month or receive Workers' Compensation without pay.

You do not earn annual leave during any period following a resignation from the office during the period in which you are not working but being paid out for the appropriate leave balances.

The office reserves the right to convert credit in excess of two years accrued annual leave to sick leave. For employees hired after June 30, 1985, but before July 1, 2004, the accrual rates are:

Length of Service	Annual Accrual Rate
1 - 4 Years	15 Days
5 - 7 Years	20 Days
8 - 14 Years	25 Days
15 years and more	27 Days

The accrual rates for employees hired after July 1, 2004 are:

Length of Service	Annual Accrual Rate
1 - 4 Years	15 Days
5 th Year	16 Days
6 th Year	17 Days
7 th Year	18 Days
8 th Year	19 Days
9 th Year	20 Days
10 th Year	21 Days
11 th Year	22 Days
12 th Year	23 Days
13 th Year	24 Days
14 th - 16 th Year	25 Days
17 th + Year	27 Days

These rates apply to most, but not all, titles at DANY.

The annual leave period for non-managerial employees is designated as beginning May 1st and ending April 30th of the following year. In April, the city looks back at the number of days you worked during the previous annual leave period, and if you have not been on the payroll for at least 15 calendar days per month during the previous annual leave period, your accruals are reduced accordingly.

If you accumulate a total of 30 calendar days of leave without pay during the annual leave period, you will lose annual leave credits for one month, even if you satisfy the condition of being on the payroll for fifteen calendar days per month. For every additional 30 days of leave without pay during the annual leave period, you will lose another month of annual leave credit.

- **Effective Month of Change in Accrual Rate:** Annual leave credit begins to accrue at the next highest rate in the month immediately following the anniversary month of your entry into city service. If you work a 35-hour week, you accrue 25 days at the start of your eighth year and 27 days at the start of your fifteenth year if hired before July 1, 2004.
- **Annual Leave Accrual for Other Than 35-hour a Week Employees:** If you are a per annum, hourly, or per-diem employee hired before July 1, 2004 who works at least one-half the regular hours of full-time employees in the same pay period, you will accrue one hour of annual leave for every 11 hours actually worked to a maximum accrual of 210 hours. If you were hired on or after July 1, 2004, you will accrue one hour of annual leave for every 15 hours worked (154 hours maximum); one hour for every 14 hours worked (165 maximum) at the beginning of the 5th year; one hour for every 13 hours worked (176 hours maximum) at the beginning of the 6th year; one hour for every 12 hours worked (199 hours maximum) at the beginning of the 7th year, and one hour for every 11 hours worked (210 hours maximum) at the beginning of the 9th year. A 17 ½-hour work week is required to accrue annual leave and to retain union benefits. A 20-hour work week is required to receive health insurance.
- **Effect of a Break in Service on Accrual Rate:** Your accrual rate is determined by your city start date. If you had a break in service, you should consult Human Resources to determine the effect of the break on your accrual rate.

5.5 Annual Leave: Rules for Use

Annual leave may not be used without the prior approval of your supervisor. The needs of the office are a primary consideration in the granting of leave. Each supervisor, in approving requests for leave, is responsible for maintaining coverage of the work assignments in your unit. Therefore, you must submit your request for annual leave to your supervisor for approval in advance of the date of the requested leave.

Your request for annual leave should be entered in City Time. Your supervisor is required to respond to your request within seven working days except during peak vacation periods where more time to respond may be required.

If you have a genuine personal emergency, and are absent or late on a day for which you have not received advance approval for the time off, you must contact your supervisor within an

hour of your expected time of arrival on the day of the absence. Upon return, you must provide a written claim outlining your reason for taking time off without prior approval. You may also be required to provide documentation. Before approving use of your leave accruals for the time off, your supervisor will weigh your overall attendance and the nature of the emergency. Your supervisor, in consultation with the Director of Human Resources, has the discretion to grant or deny your request for leave. In the case of a denial of your request for leave, you will not be paid for the time you were absent.

- **Advance of Annual Leave:** You may take only that annual leave that you have previously accrued. Absent approval from your supervisor and the Payroll Director, you may not use annual leave you expect to accrue in the future. If approved, the office may advance you up to a maximum of three days annual leave. If you are advanced leave, you must repay it with annual leave you earn immediately upon your return to work.
- **Standard Units of Charge:** You may use annual leave in increments of one-half hour after the first full hour. The minimum charge in one full day will be one hour.
- **Hospitalization on Annual Leave:** If you are hospitalized while on annual leave, the period of such verified hospitalization may be charged to sick leave and not annual leave. If you are seriously disabled but not hospitalized while on annual leave, the Director of Human Resources may approve charging the period of such disability to sick leave. You will be required to submit medical documentation.
- **Absences Warranting Disciplinary Action:** If you are absent under any of the following conditions, you may be subject to disciplinary action up to and including termination:
 - Unscheduled and/or unauthorized absence from the office.
 - Absence without notification and satisfactory explanation.
 - Failure to return to work immediately upon expiration of a leave.

In any of the above situations you will be required to submit documentation.

5.6 Sick Leave

Sick leave is intended for use only for absence relating to your own illness except in circumstances described below. You may take sick leave when you are absent because you are ill or convalescing, or when you visit a health care provider during the work day.

However, you may use three days in any calendar year from your sick leave balances for the care of ill family members. Approval of such leave is at the discretion of the office. You will be required to provide medical documentation, satisfactory to the office within five working days of your return to work. For this purpose, a family member is defined as: spouse; parent, foster or step parent; child; brother or sister; father-in-law; mother-in-law; any relative residing in the household; or registered domestic partner.

Sick Leave: Accrual Rates

Full-time employees earn 12 sick days annually at the rate of one day per month if hired before July 1, 2004. Employees hired after July 1, 2004, earn 10 sick days annually for the first five years of employment with the office. At the beginning of the sixth year of service, the maximum sick leave accrual is 12 days annually.

If you are a part-time employee, sick leave credit accrues at the rate of one hour for every 22 hours worked. If you were hired on or after July 1, 2004, sick leave credit accrues at the rate of one hour for each 24 hours actually worked for the first five years of service. In order to earn sick leave, you must work at least 17 ½ hours per week.

The number of sick leave days you are permitted to accumulate is unlimited.

You are eligible to earn the monthly sick leave accrual if you are on the payroll for at least 15 calendar days during that month, or receive Workers' Compensation without pay.

You do not earn sick leave during any period following resignation from the office during the period in which you are not working but are being paid out your leave balances.

If you work other than a regularly scheduled standard work week consisting of five seven-hour, or eight-hour days, you accrue and charge leave credits on an hourly basis in accordance with special premiums.

Sick leave is credited as it is earned. You are not subject to a four month probationary period for use of sick leave credits.

5.8 Rules for Use of Sick Leave and Penalties for Excessive Use of Undocumented Sick Leave.

If you are unable to report for work due to an illness, you are expected to speak to your supervisor, **not a co-worker**, no later than one hour after you are scheduled to report to work.

The time you are out on sick leave is deducted from your accrued sick leave balance. If you have exhausted your sick leave balance, and still remain out ill, you will draw from any compensatory time balance. If you have no compensatory time balance or you use all of that balance, your annual leave balances will be drawn upon. Should you still remain out ill, after the exhaustion of all leave credit balances, sick leave without pay may be granted under certain limited circumstances and within the office's sole discretion.

- **Documentation for Sick Leave:** Your supervisor may at any time require you to provide an original doctor's note stating the nature of your illness and the dates during which you were under treatment and unable to work.

If you anticipate a series of three or more medical appointments requiring a repeated use of sick leave in units of one day or less, you must submit an original doctor's note with a request for leave in advance. The note must contain an explanation of your condition and the

anticipated frequency and duration of treatments.

You are required to submit an original doctor's note, acceptable to the office, within five working days of your return to work or within two weeks of your last day worked for an extended absence, on the general nature of your illness in the following instances:

- When illness covers a single period of more than three work days; or
 - When you use undocumented sick leave that results in you being placed in doctor's note restriction status: see the matrix and explanation below. An instance is defined as one-half day or the accumulation of hours to one-half day. The six month periods are defined as January 1st through June 30th and July 1st through December 31st; or
 - When you use sick leave during the final week of employment prior to resignation.
- **Standard Units of Charge:** Sick leave may be charged in units of one hour, and then in increments of half-hours, except in exceptional and unusual circumstances, such as sudden illness while working.

➤ **Excessive Use of Undocumented Sick Leave**

Definitions:

- Sick Leave Periods: January to June and July to December
- Instance:
 - 3 ½ hours or more occurring on one day or
 - a total of 3 ½ hours occurring on more than one day or
 - a day or series of days or partial days that are consecutive
- Points: four (4) points are assigned for each instance of undocumented sick leave occurring mid-week; five (5) points are assigned for each instance of sick leave occurring before or after a day off (weekend, holiday, use of any other type of leave)
- Step 1: 10 to 14 points and Step 2: 15-19 points you will not be notified by Human Resources if you are in Step 1 or Step 2. However, it is your responsibility to be aware that continued undocumented sick leave will not meet the New York District Attorney's requirement for satisfactory attendance and medical documentation may be required for future absences.
- Step 3: 20 to 24 points. Any undocumented sick leave beyond this point will result in you being placed in Sanction Status.
- Sanction Status/Doctor's Restriction: More than 24 points. All undocumented sick leave time will be without pay. In addition, you must work the next 6 month sick leave period with no more than 2 instances of sick leave (documented or undocumented) to be removed from sanction status.

Abuse of sick leave may result in disciplinary action.